

REMARKS

The above-identified patent application has been amended and Applicants respectfully request the Examiner to reconsider and again examine the claims as amended in accordance with the provisions of 37 C.F.R §1.116.

Claims 44 – 65 are pending in the application with claims 56-65 being newly added by this amendment. Claims 46, 47, 49, 51 and 53 – 55 are rejected. No claims are yet allowed but the Examiner indicated that claims 44, 45, 48 and 52 would be allowable if re-written in independent form including the limitations of the base claim and any intervening claims. Claim 53 is amended herein. No claims have been cancelled by this amendment. Claims 1-43 have been cancelled by previous amendments.

In the Office Action dated July 19, 2006, the Examiner withdrew the previous indication of allowability of some claims and re-opened prosecution for the purposed of making a new rejection of the claims.

Proceeding now with a discussion of the rejections set forth in the present Office Action, the Examiner rejects claim 53 under 35 U.S.C. §101 as claiming the same invention as claim 14 of US Patent No. 6,827,130 issued to Bamford and assigned to Molex Incorporated.

Claim 53 as amended recites a heatsink assembly comprising ... a slug ... having first and second opposing surfaces with a first one of the first and second opposing surfaces corresponding to an angled surface Thus, claim 53 is patentable over claim 14 of US Patent No. 6,827,130.

The Examiner rejects claims 46, 49-51, 54 and 55 on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 12 and 13 of U.S. Patent No. 6,827,130.

Each of claims 46, 49-51, 54 and 55 depend, either directly or indirectly from base claim 53 and thus include the limitations of base claims 53 which calls for ... a slug ... having first and second opposing surfaces with a first one of the first and second opposing surfaces corresponding to an angled surface No such feature is described or suggested by claims 12 and 13 of US Patent No. 6,827,130 or the portions of the specification in US Patent No. 6,827,130 related to those claims. Thus, Applicant submits that claims 46, 49-51, 54 and 55 are patentable over claims 12 and 13 of US Patent No. 6,827,130.

The Examiner rejects claims 46, 47 and 53-55 under 35 U.S.C. §102(e) as being anticipated by Bamford (U.S. Patent No. 6,827,130).

Claim 53 as amended recites a heatsink assembly comprising ... a slug ... having first and second opposing surfaces with a first one of the first and second opposing surfaces corresponding to an angled surface

To sustain a rejection under 35 U.S.C. §102(e), a single reference must disclose each and every element of the claimed invention. In this case Bamford neither describes nor suggests a slug ... having first and second opposing surfaces with a first one of the first and second opposing surfaces corresponding to an angled surface. Thus, the rejection of claim 53 under 35 U.S.C. §102(e) cannot be sustained and should be removed.

Each of claims 46, 47, 54 and 55 depend, either directly or indirectly from base claim 53 and thus include the limitations of base claims 53. Thus, claims 46, 47, 54 and

55 are patentably distinct over the cited references generally for the reasons discussed above in conjunction with claim 53.

The Examiner rejects claims 49-51 under 35 U.S.C. §103(a) as being unpatentable over Bamford (U.S. Patent No. 6,827,130).

Each of claims 49-51 depend, either directly or indirectly from base claim 53 and thus include the limitations of claim 53 which calls for a slug ... having first and second opposing surfaces with a first one of the first and second opposing surfaces corresponding to an angled surface.

Thus, Applicants submit that claims 49-51 are patentable over the cited reference since the reference neither describes nor suggests a slug having first and second opposing surfaces with a first one of the first and second opposing surfaces corresponding to an angled surface as called for in each of claims 49 –51.

The Examiner indicated that claims 44, 45, 48 and 52 would be allowable if re-written independent form including the limitations of the base claim and any intervening claims. Applicant has re-written claims 44, 45, 48 and 52 in independent form including the limitations of the base claim and any intervening claims and thus these claims are now in condition for allowance.

Applicants have added new independent claims 56 and 61 and depended claims 57-60 and 62-65 to define further patentable aspects of their invention and Applicants submit that these claims are patentable over all reference of record in this case whether taken separately or in combination.

Accordingly, in view of the above amendments and remarks, Applicant submits that Claims 44 – 65 and the entire case are in condition for allowance and should be sent to issue and such action is respectfully requested.

The Examiner is respectfully invited to telephone the undersigning attorney if there are any questions regarding this Amendment or this application.

If any request for an extension of time is required for acceptance of this paper and is not otherwise made, kindly consider this as such a request.

The Assistant Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0845

Respectfully submitted,

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